

PUBLIC NOTICE

US Army Corps
of Engineers
Baltimore
District

In Reply to Application Number
CENAB-OP-RMN(CHESAPEAKE YACHT
CLUB/DREDGING)06-63113-18

PN-06-25

Comment Period: May 8, 2006 to June 8, 2006

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to and State authorization pursuant to the Tidal Wetlands Act and/or Nontidal Wetlands Protection Act, as described below:

APPLICANT: Chesapeake Yacht Club
Attn: Thomas Marino
4943 Hine Drive
Shady Side, MD 20764

LOCATION: The proposed project site is located at the Chesapeake Yacht Club, 4943 Hine Drive, Shady Side, in the South Creek, Anne Arundel County, Maryland.

WORK: The proposed work, in accordance with the attached plans, is to hydraulically or mechanically dredge a 206,481 square foot existing marina basin to a depth of -5.5 feet mean low water (MLW). The total estimated quantity of dredged material is approximately 16,500 cubic yards. The dredged material will be deposited at the approved Crandell dredged material placement site located on Browns Way, Churchton, Maryland.

Essential Fish Habitat (EFH) Assessment: The Magnuson-Stevens Fishery Conservation Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded or undertaken by the agency that may adversely effect EFH. The proposed project lies in or adjacent to EFH as described under MSFCMA for Windowpane Flounder Scopthalmus aquosus (juvenile & adult); Blue Fish Pomatomus saltatrix (juvenile & adult); Summer Flounder Paralichthys dentatus (juvenile & adult). In addition, the egg, larval, juvenile, and adult stages of Red Drum Sciaenops ocellatus, King Mackerel Scomberomorus cavalla, Spanish Mackerel Scomberomorus maculatus, and Cobia Rachycentron canadum, are managed species under the MSFCMA. The project has the potential to adversely effect EFH or the species of concern by loss of spawning, nursery, forage, and/or shelter habitat. The Baltimore District has determined the adverse effects of this project would not be substantial and an abbreviated consultation will be conducted with NMFS. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Richard Xibby at (410) 962-0694.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof: among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of **Engineers** is soliciting **comments** from the public: Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any **comments** received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a **permit** for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general **environmental** effects, and the other public interest factors listed above. Comments are used in the preparation of an **Environmental Assessment and/or** an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to **determine** the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written **comments** concerning the work described above which relate to water quality certification must be received by the Standards and Certification Division Maryland Department of the Environment, **Montgomery** Park Business Center, 1800 Washinton Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment **period** as specified above to receive **consideration**. Written **comments** concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration. The 401 certifying **agency** has a statutory limit of one year to **make** its decision.

The applicant has certified in this **application** that the **proposed activity** **complies** with and will be conducted in a manner **consistent** with the Maryland Coastal zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, **Montgomery** Park Business Center, 1800 Washinton Boulevard, Suite 430, Baltimore, Maryland, 21230-1708, within the comment period as **specified** above. It should be noted that CZ **Division** has a statutory limit of 6 months in which to make its consistency determination

The applicant must obtain any State or local government permits which may be required,

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination

Review of the latest published version of the National Register of Historic Places indicates that **no** registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

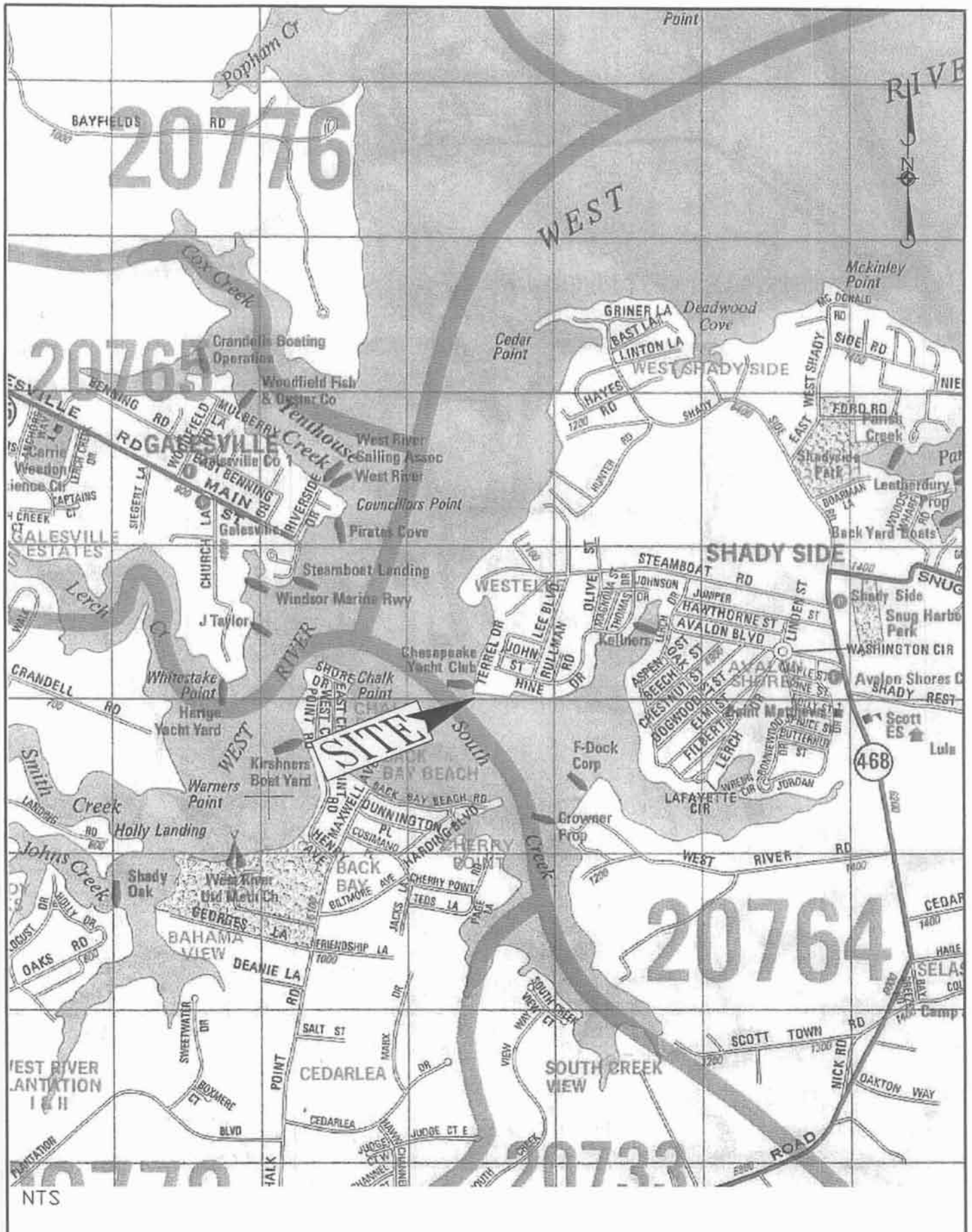
The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, **U.S. Environmental** Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you **communicate** the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:



Vance G. Hobbs
Chief, Maryland Section Northern



Consultants & Designers, Inc.

"Integrating Engineering and Environment"

1321 Mercedes Drive, Suite C
Hanover, Maryland 21076

Phone: (410) 694-9401
Fax: (410) 694-9405

VICINITY MAP
CHESAPEAKE YACHT CLUB
PROPOSED DREDGING

SHEET 1 OF 4

NOVEMBER 2005

WEST RIVER



MR. RICHARD BRENTZEL
PO BOX 492
SHADY SIDE, MD 20784

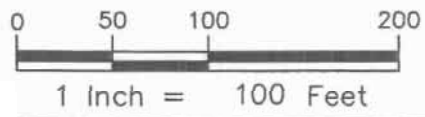
SHEET 3
SHEET 2

AREA D

AREA C

LEGEND	
	PROPOSED DREDGING
	PROPOSED CHANNEL DEPTH
3.6	SOUNDINGS BY BAYLAND
	APPROX CATWALK LOCATION
	APPROX PILING LINE

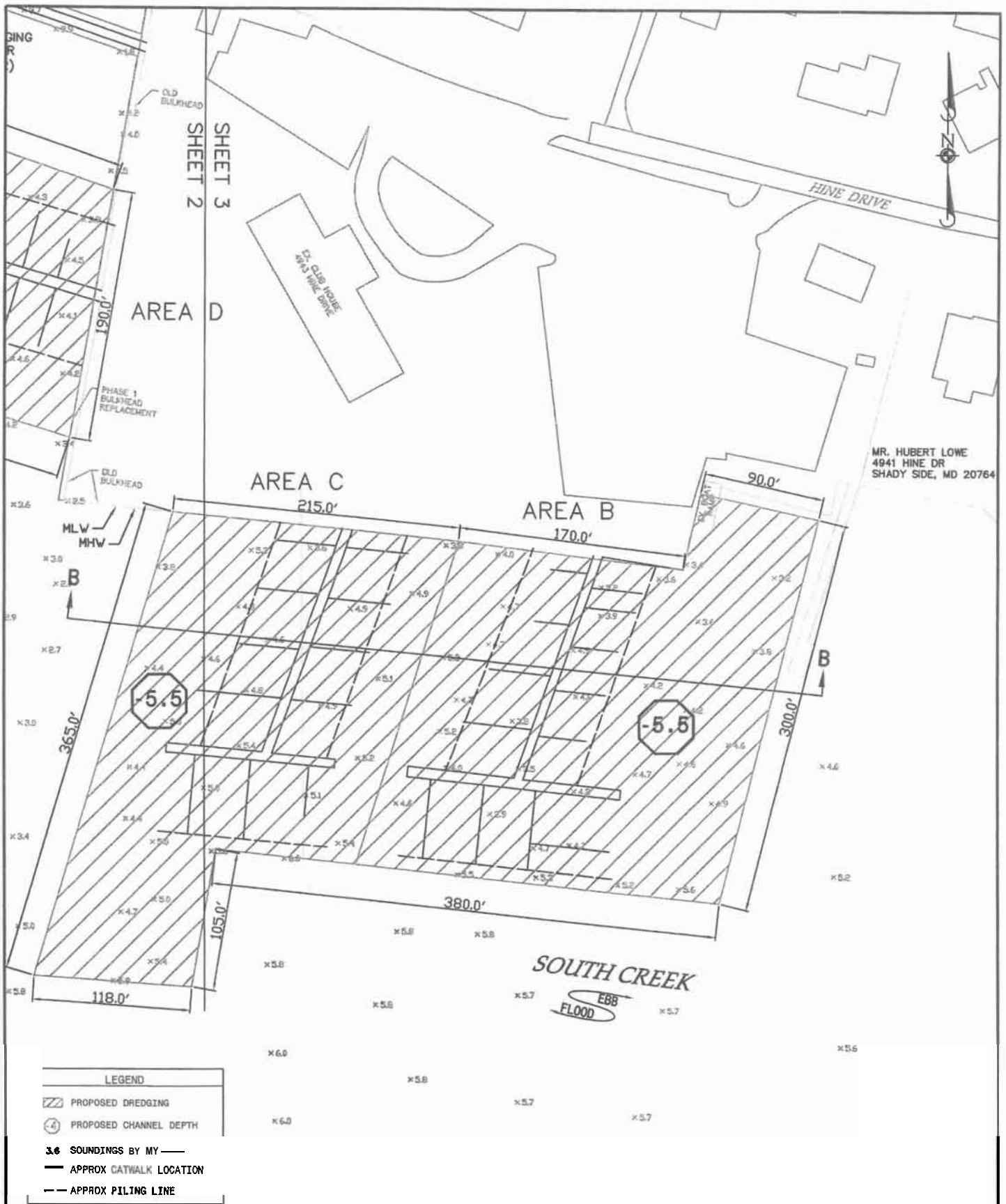
- NOTES:
1. BASE MAP COMPILED FROM ANNE ARUNDEL COUNTY 1895 TOPOGRAPHY AND SEPTEMBER 10, 2001 BATHYMETRIC SURVEY BY B A W D CONSULTANTS & DESIGNERS, INC.
 2. TIDAL RANGE IS 0.9 FEET.
 3. WATER DEPTHS ARE IN FEET AND REFER IN DEPTHS BELOW MEAN LOW WATER.
 4. WATER DEPTHS ARE BASED ON A DNR BENCHMARK LOCATED IN PARISH CRVV.
 5. NO SAV WAS OBSERVED DURING SURVEYS CONDUCTED IN JUNE, JULY AND AUGUST 2005.



BayLand
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SITE PLAN
CHESAPEAKE YACHT CLUB
PROPOSED DREDGING



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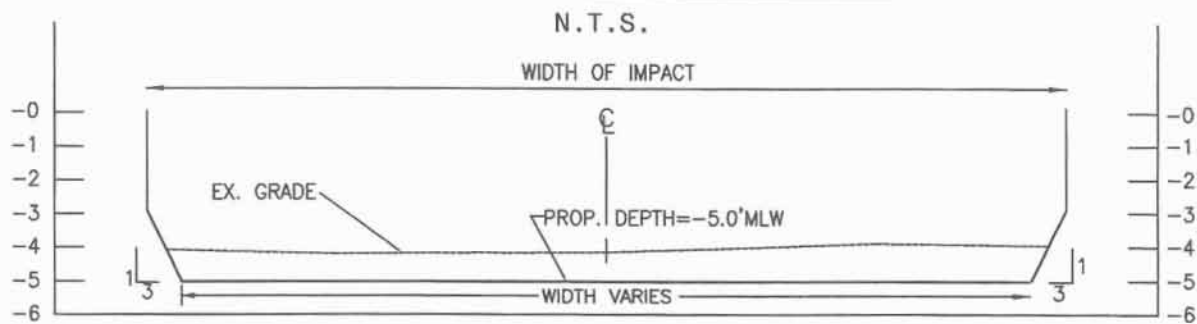
SITE PLAN
CHESAPEAKE YACHT CLUB
PROPOSED DREDGING

SHEET 3 OF 4

NOVEMBER 2005

LOCATION	DEPTH (MLW)	AREA (SF)	VOLUME (CY)
AREA B	-5.5	71,439	7,300
AREA C	-5.5	65,144	4,400
AREA D	-5.5	69,898	4,800
	TOTAL	206,481 SF = 4.7 AC	16,500

TYPICAL CHANNEL SECTION A-A



TYPICAL CHANNEL SECTION B-B

